IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

Marie Assa'ad-Faltas, M.D., M.P.H.,)	C.A. No. 3:07-cv-186-TLW-JRM
aka Marie A. Faltas,)	
aka Marie-Therese Assa as-Faltas,)	
aka Marie-Therese H. Assaad-Faltas,)	
)	
Plaintiff,)	
)	
VS.)	ORDER
)	
President of the University of South Carolina,)	
)	
Defendant.)	
)	

This matter is now before the undersigned for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Joseph R. McCrorey, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge McCrorey recommends that the Complaint in the above-captioned case be dismissed with prejudice and without issuance and service of process. (Doc. # 9). The Report further recommends that plaintiff's motion for preliminary injunction be denied; and that her request for change of venue be denied. Id. Plaintiff has filed objections to the Report. (Doc. # 11).

In conducting this review, the Court applies the following standard:

¹The Court notes that in her objections plaintiff prays for an extension of time in which she could obtain a volunteer lawyer to whose advocacy this Court may be more receptive so that such lawyer may file amended/supplemental objections to the R&R in this case. After careful consideration, the request for an extension of time to obtain counsel is denied. Initially this Court notes that it has carefully considered plaintiff's complaint and objections to the Report. Additionally, the Court notes that plaintiff's objections were filed on April 6, 2007. No attorney appearance or supplemental objections have been received to date.

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections. . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F.Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of this standard, the Court has reviewed, <u>de novo</u>, the Report and the objections thereto. The Court accepts the Report.

THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 9), plaintiff's objections are **OVERRULED** (Doc. # 11); and the Complaint in the above-captioned case is **DISMISSED** with prejudice and without issuance and service of process. The plaintiff's motion for preliminary injunction is **DENIED**; and her request for change of venue is likewise **DENIED**.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN

UNITED STATES DISTRICT JUDGE

August 21, 2007

Florence, South Carolina